



## INTERNATIONAL TRADE COMMISSION

Investigation Nos. 701-TA-491-497 (Preliminary)

FROZEN WARMWATER SHRIMP FROM CHINA, ECUADOR, INDIA, INDONESIA, MALAYSIA, THAILAND, AND VIETNAM

### DETERMINATION

On the basis of the record<sup>1</sup> developed in the subject investigations, the United States International Trade Commission (Commission) determines, pursuant to section 703(a) of the Tariff Act of 1930 (19 U.S.C. § 1671b(a)) (the Act), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports from China, Ecuador, India, Indonesia, Malaysia, Thailand, and Vietnam of frozen warmwater shrimp, provided for in subheadings 0306.17.00, 1605.21.10 and 1605.29.10 of the Harmonized Tariff Schedule of the United States, that are alleged to be subsidized by the Governments of China, Ecuador, India, Indonesia, Malaysia, Thailand, and Vietnam.<sup>2</sup>

Pursuant to section 207.18 of the Commission's rules, the Commission also gives notice of the commencement of the final phase of its investigations. The Commission will issue a final phase notice of scheduling, which will be published in the *Federal Register* as provided in section 207.21 of the Commission's rules, upon notice from the Department of Commerce (Commerce) of affirmative preliminary determinations in the investigations under section 703(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in these investigations under section 705(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigations need not enter a separate appearance for the final phase of the investigations. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty

---

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR § 207.2(f)).

<sup>2</sup> Commissioner Daniel R. Pearson voted in the negative.

investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

## **BACKGROUND**

On December 28, 2012, a petition was filed with the Commission and Commerce by the Coalition of Gulf Shrimp Industries, Biloxi, MS, alleging that an industry in the United States is materially injured or threatened with material injury by reason of subsidized imports of frozen warmwater shrimp from China, Ecuador, India, Indonesia, Malaysia, Thailand, and Vietnam. Accordingly, effective December 28, 2012, the Commission instituted countervailing duty investigation Nos. 701-TA-491-497 (Preliminary).

Notice of the institution of the Commission's investigations and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the *Federal Register* of January 4, 2013 (76 FR 764). The conference was held in Washington, DC, on January 18, 2013, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on February 11, 2013. The views of the Commission are contained in USITC Publication 4380 (February 2013), entitled *Frozen Warmwater Shrimp from China, Ecuador, India, Indonesia, Malaysia, Thailand, and Vietnam: Investigation Nos. 701-TA-491-497 (Preliminary)*.

By order of the Commission.

Lisa R. Barton  
Acting Secretary to the Commission

Issued: February 11, 2013